

PTO/SB/26 (08-03)

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**TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT**
Docket Number (Optional)
5000-1-247

In re Application of: Chang Hee Lee et al.

Application No.: 09/767,702

Filed: January 24, 2001

For: BIDIRECTIONAL ADD/DROP MULTIPLEXER AND BIDIRECTIONAL ADD/DROP AMPLIFIER
MODULE FOR BAND-SPLIT BIDIRECTIONAL NETWORKS

The owner*, Samsung Electronics Co., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. US 6,529,656 B2. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer. In the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record.



6/30/04

Signature

Date

Steve Cha

Typed or printed name

201-226-9245

Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) indicated was previously paid.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
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This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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TO: EXAMINER: Sung H. Pak ART UNIT: 2874
FAX NUMBER: 571-273-2353
SERIAL NUMBER: 09/767,702
DOCKET NUMBER: 5000-1-247

FROM: Steve Cha
REGISTRATION NUMBER 44,069

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CHA & REITER
210 ROUTE 4 EAST, SUITE 103
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MESSAGE:

Re: Advisory Action

Dear Mr. Pak:

Confirming our telephone conversation and your instructions on June 29, 2004, we are filing another Terminal Disclaimer and authorize the USPTO to deduct a one month extension of time from our deposit Account 502-470.

Please note that the Terminal Disclaimer fee had been previously paid on June 2, 2004. The attached Terminal Disclaimer is being submitted to overcome a minor typographical error on the previous Terminal Disclaimer reported in the Advisory Action.

In view of the foregoing, it is believed that this application is now in condition for allowance. Please contact the undersigned in the event of any perceived outstanding issues so that passage of the case to issue can be effected without need for further action.

I certify that this document consisting of 2 pages (including this cover sheet) is being transmitted via telecopier to the United States Patent and Trademark Office at the Telephone number set forth above on June 30, 2004.

Barbara Callahan
Facsimile Operator